



Docket No. 70116/49945

D. Lawrence
DeMat
#12/a
5/20/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Cesarczyk, Edward J.
U.S.S.N.: 09/778,125 Art Unit: 1743
FILED: February 6, 2001 Examiner: L. Alexander
FOR: DIAGNOSTIC TESTING DEVICE AND METHOD OF USE
THEREOF

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CERTIFICATION UNDER 37 CFR § 1.8(a) and 1.110

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Beth-Ann Merino

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Commissioner for Patents
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Sir:

PRELIMINARY AMENDMENT

This application is an RCE of prior U.S.S.N.: 09/778,125, filed on February 6, 2001. Before consideration on the merits, please amend the above-identified application as set forth herein.

IN THE CLAIMS:

Please amend claim 1 to read as follows:

1. A specimen collecting and testing device comprising:
an elongate, hollow housing having a proximal end and a distal end and a hollow portion;
at least one test membrane or sample collecting strip positioned within the hollow portion of the housing, the test membrane carrying diagnostic test chemistry;

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02 FC:2253 465.00 OP

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04 FC:2202 45.00 OP

FC 2201 42.00 OP

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